

Application No.: 10/673,764
Attorney Docket No.: SHA-129
RCE Submission Dated: December 30, 2005
Reply for Final Office Action Dated: 30 June 2005

REMARKS

Claims 1-2, 4-17, 20, 23-29, 32-37, 39-40, 42, and 44-46 are pending. Claims 3, 18-19, 21-22, 30-31, 38, 41, 43, and 47-49 have been previously cancelled.

Applicant has amended base claims 1, 20, 29, 35, 42, and 46 and added new dependent Claims 50-55.

For example, Claim 1 has been amended to recite "a bearing device permanently joined to said housing at the inner surface thereof." The other base claims have been similarly amended. No new matter is added by the claim amendments. Support for the claim amendments may be found at the Abstract; Fig. 2; Page 2, line 17 to Page 3, line 12; Page 5, lines 9-14; Page 11, lines 16-20; Page 14, lines 11-21; Page 27, line 7 to Page 28, line 5. One example of such permanent joining is adhesive bonding (new dependent Claims 50-55).

No such permanent joining/bonding is disclosed by Stoll concerning bushing 41 and housing 3.

Claims 1-49 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,165,700 to Stoll et al. ("Stoll").

Referring to the Advisory Action dated 30 August 2005, the Examiner states as follows:

Element 41 is considered "bonded" to the housing in that it is connected in a fixed manner via element 30, as well as by the abutment of portion 26 in the recess (see Fig. 6).

The Examiner maintains that bushing 41 is "bonded" to housing 3 both indirectly (via element 30) and directly (via portion 26).

However, bushing 41 is not permanently attached to housing 3, either by way of element 30 or portion 26 cited by the Examiner.

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The Examiner first states that bushing 41 -- by way of its connection to element 30 -- is indirectly "bonded" to housing 3. Element 30 is a "slotted retainer ring" providing an axial fixing action that restrains axial movement of support part 8 (and hence bearing 41-44). (Col. 6, lines 17-27.) The Examiner concludes that the combination of element 30 and bushing 41 is "bonded" to housing 3 since element 30 acts to fix the axial relationship of bushing 41 to housing 3.

However, ring 30 is not permanently joined/bonded to housing 3 but is "detachable" as Stoll expressly teaches at Col. 6, line 18. Accordingly, bushing 41 cannot be permanently joined/bonded to housing 3 via ring 30.

Next, the Examiner argues that the raised portion 26 of bushing 41 which abuts against housing 3 (Fig. 6) provides a "bonded" connection between bushing 41 and housing 3, since portion 26 appears to be keyed into a corresponding slot to restrain its movement relative to housing 3.

However, portion 26 is not permanently joined/bonded to housing 3. Indeed, an express purpose of holding element (ring) 30 cited by the Examiner is to enable removal of the Stoll seal system, namely, the combination of bushing 41 (with portion 26), seals 9 and 10, and support part 8 (Fig. 6). As such, all of the Stoll seal components must likewise be removable, i.e., not permanently joined/bonded to housing 3. The Examiner concurs as follows: "Detachable holder element 30, when removed renders the seal removably attachable." (Final Office Action, Page 3.)

The only permanent attachment appearing in Stoll is the possible permanent securing between bushing 41 and support part 8'. ("It is convenient if the rod guiding bushing 41 is permanently secured to the support part 8', for instance by injection molding the latter on the rod

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guiding bushing 41, which consists of harder synthetic resin or a metal such as sintered metal.") (Col. 8, lines 5-9.) However, this disclosure does not teach any permanent joining/bonding of either bushing 41 or support part 8' to housing 3. Other disclosures of Stoll even make clear that support part 8' -- and with it bushing 41 -- are removable, i.e., not permanently attached to housing 3, amounting to a teach away from the invention.

In particular, Stoll states as follows in relevant part (emphasis and insertion added):

In what follows, an account will be given of the embodiment of the invention illustrated in FIGS. 1 and 2, whose sealing and stripper ring 1 and 1' has an annular support part 8, with which it [part 8] is preferably detachably secured in the operational position sealingly on the holder 7. (Col. 3, line 66 to Col. 4, line 4.)

Hence, if support part 8 is "detachably secured in the operational position sealingly on the holder 7 [part of housing 3]" -- and bushing 41 (with projections 44) may be "permanently secured to the support part 8'" -- the detachment capability of support part 8, along with bushing 41 "permanently secured" thereto, necessarily requires that bushing 41 not be permanently joined to housing 3 or any other part of the system. Thus, Stoll teaches away from the possibility of any permanently joined/bonded connection between bushing 41 and housing 3.

In view of the foregoing, Applicant respectfully submits that the claims are patentable over Stoll and respectfully requests that the rejection be withdrawn.

Applicant notes as well that Stoll does not recognize the problem (nor then propose a solution) that is addressed and remedied by the invention, at least as it pertains to the advantages and improvements offered by permanently joining/bonding the bearing device to the housing.

The invention recognizes the problem associated with seal elements extruding into clearance spaces (especially at bearing-to-housing interfaces), and provides, in one form, a

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solution that involves permanently joining/bonding the bearing device to the housing to eliminate any potential clearances between these parts. (See, e.g., Page 3, lines 1-12; Pages 14-15.)

Applicant believes that the application is in condition for allowance and respectfully requests favorable action in accordance therewith.

If the Examiner has any questions or comments that would advance prosecution of this case, the Examiner is invited to call the undersigned at 260/484-4526.

Respectfully Submitted,



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RJK/

Enclosures: Amendments to the Claims
(10 Sheets)
Explanatory Cover Sheet - Page 1
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